

REMARKS

Claims 1, 7 and 10 have been amended. Claims 1-8 and 10 are pending in the application.

Claims 1-4 and 7-8 were rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue (US Patent 7,123,813) in view of Cheng (US Patent 7,369,750). In addition, claims 5- 6 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Inoue and Cheng and further in view of Toshiya (JP 2001-160256).

Amended independent claim 1 recites, in relevant part,
when a time slot corresponding to said recording reservation conflicts with a time slot of a previously made recording reservation because none of the first through n-th recording means is available for the time slot corresponding to said recording reservation, and the recording reservation and the previously made recording reservation are assigned respective priorities by the user, one having a higher priority than the other, performs a process to allocate the time slot to the reservation having the higher priority ...,

when the recording reservation having the higher priority is canceled by the user, performs a process to change priority of the recording reservation having the lower priority to the higher priority and to change priority of the recording reservation that is canceled to a lower priority

(emphasis added). Accordingly, in the recording apparatus of claim 1, when the recording reservation having the higher priority and to which the time slot is allocated is canceled, the priority of the recording reservation having the lower priority is changed to the higher priority, and also priority of the recording reservation that is canceled is changed to a lower priority. (See specification at, for example, paragraphs [0146]-[0148].)

It is respectfully submitted that the combination of Inoue and Cheng applied by the Examiner does not appear to

specifically disclose the above-identified features of claim 1. Accordingly, it is respectfully submitted that claim 1 is distinguishable from the combination of Inoue and Cheng applied by the Examiner.

For reasons similar to or somewhat similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claim 7, which includes limitations corresponding to those of amended claim 1 discussed above, is distinguishable from the combination of Inoue and Cheng applied by the Examiner.

In addition, amended independent claim 10, which includes limitations corresponding to those of amended claim 1 discussed above, is believed to be distinguishable from the combination of Inoue and Cheng applied by the Examiner for at least the reasons previously described. The Examiner does not appear to rely on Toshiya to overcome the above-described deficiencies of Inoue and Cheng. Accordingly, it is respectfully submitted that claim 10 is distinguishable from the combination of Inoue, Cheng and Toshiya applied by the Examiner.

Further, since dependent claims inherit the limitations of their respective base claims, Applicants believe that dependent claims 2-6 and 8 are patentable over the applied combinations of Inoue and Cheng or Inoue, Cheng and Toshiya for at least the same reasons discussed in connection with the independent claims.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-

5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: April 5, 2010

Respectfully submitted,
Electronic signature: /Davy E.
Zoneraich/
Davy E. Zoneraich
Registration No.: 37,267
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

1153071_1.DOC